

Planning Commission Date: June 13, 2007

Item No. 9.

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: New Business

Report prepared by: Cindy Hom

Public Hearing: Yes: X No: _____

Notices Mailed On: 6/1/07 Published On: 5/31/07 Posted On: 6/1/07

TITLE: TIME EXTENSION NO. TE2007-14

Proposal: A request for a one-time 18-month time extension for previous approved station upgrades, minor site modification and signage.

Location: 27 S. Park Victoria Drive (APN: 088-04-010)

RECOMMENDATION: Approval with conditions

Applicant: RHL Design Group Inc.

Property Owner: ConocoPhillips, Attn: Bill Borgh, 76 Broadway, Sacramento, CA 95818

Previous Action(s): Zone Change, "S" Zone, Use Permit, "S" Zone Approval Amendments,

Environmental Info: Categorically exempt pursuant to Class 11, Section 15311 ("Accessory structures – on premise sign") of the California Environmental Quality Act Guidelines

General Plan Designation: Retail Sub-center

Present Zoning: Neighborhood Commercial

Existing Land Use: Gas service station with minor auto repair and services

Agenda Sent To: Applicant/owner

Attachments: Plans

PJ No. 2421

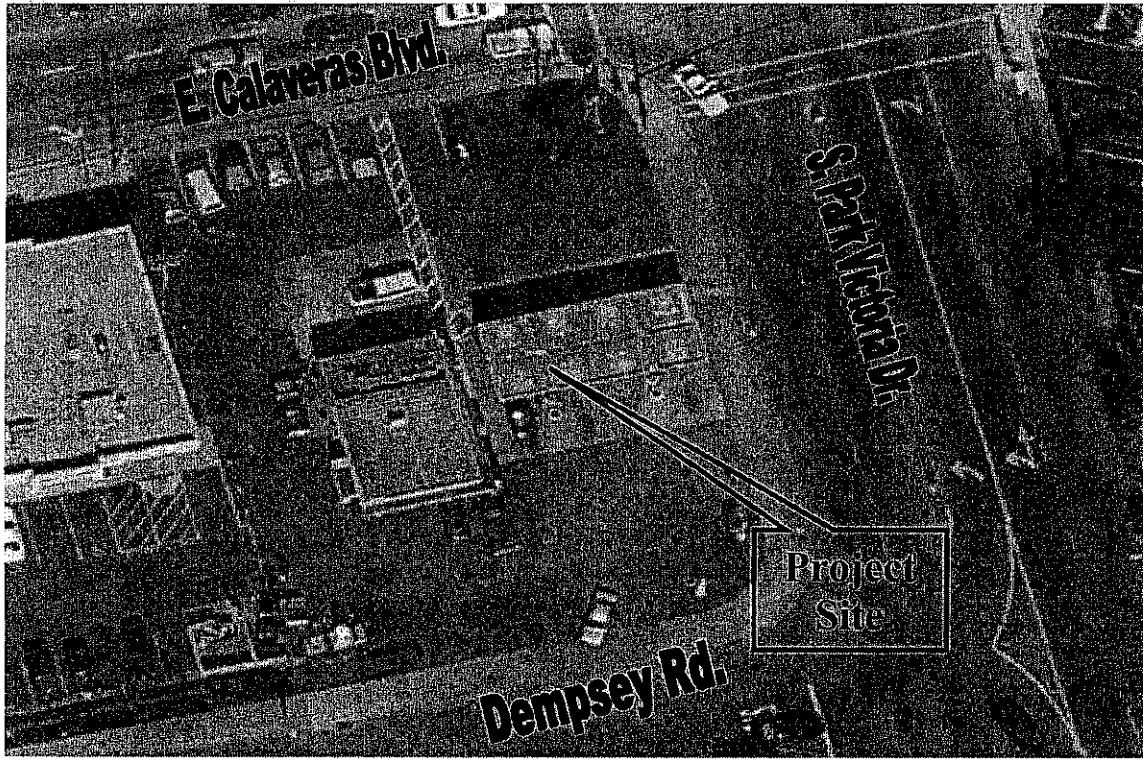
BACKGROUND

On May 8, 1963 Planning Commission granted approval for a Use Permit and "S" Zone Approval for the construction and operation of an auto service station. Subsequent approvals include "S" Zone Approval Amendments to locate tire rack display, roof screening for roof top equipment, and a Use Permit for a freestanding pole sign.

On April 27, 2005, the Planning Commission approved Use Permit Amendment No. UA2005-5 and S" Zone Approval Amendment No. SA2005-28 for the replacement of a 16' tall pole sign with a new 12' tall illuminated freestanding sign and installation of other minor exterior modifications including exterior painting, landscaping and canopy replacement.

Site Description

The subject site is located on a .37-acre parcel that is bounded by Dempsey Road to the south, S. Park Victoria Drive to the east, a multi-tenant retail and professional office building to the west, and E. Calaveras Boulevard to the north. Surrounding land uses include various retail and restaurant uses in the immediate vicinity and residential uses further north and south of the site.



APPLICATION

The application is submitted pursuant to Milpitas Municipal Code Chapter 11, Section 64.04 (Expiration of Permit or Approvals). The applicant is requesting a one-time 18-month time extension for the approval of Use Permit Amendment No. UA2005-5 and S" Zone Approval Amendment No. SA2005-28 for the replacement of a 16' pole sign with a new 12' illuminated freestanding sign and installation of other minor exterior modifications including exterior painting, landscaping and canopy replacement.

TIME EXTENSION REQUEST

Pursuant to Zoning Ordinance Section 64.04, the applicant is requesting a time extension for the approval of Use Permit Amendment No. UA2005-5 and S" Zone Approval Amendment No. SA2005-28 which allows for the replacement of a 16' pole sign with a new 12' illuminated freestanding sign and installation of other minor exterior modifications including exterior painting, landscaping and canopy replacement. As with any permit approval granted under the terms of the zoning ordinance (such as Use Permit, S-Zone, PUD, Hillside Site and Architecture), a permit expires in eighteen (18) months if not used or exercised. As defined in Section 64.04-2, a permit is "used" or "exercised" if the applicant obtains a building permit and completes a foundation or dedicates any land or easement as required from the zoning action or complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner. To date, the applicant has not vested or exercised the permit. The approval of the time extension will extend the expiration date to December 13, 2008. The applicant is requesting a time extension to move forward with the proposed station upgrades.

PROJECT DESCRIPTION OVERVIEW

The applicant is requesting to remove and replace an existing pole sign with a new 12' freestanding monument sign that shall be located in the landscape area at the corner of E. Calaveras Blvd. and S. Park Victoria Drive. The proposed sign is a double-faced 12' monument sign that will internally illuminated and include a LED price sign cabinet. Other proposed site modifications include a new canopy fascia that will be attached to the existing flat roof canopy; repainting of the main building and other on-site structures such as enclosures, perimeter walls, beam, light boxes and bollards with the new corporate color scheme of red, white and gray/silver; and replacing the pump dispensers valences.

RECOMMENDATION: Close the Public Hearing. Approve Time Extension No. TE2007-14 based on the previous Findings and Special Conditions of Approval listed below.

FINDINGS:

1. The proposed project complies with the City's General Plan in terms of Guiding Principle 3.b-G-1 in that the signs serve to direct vehicles in the facility which assists in providing for a safe, convenient and efficient vehicular movement within the Industrial Park area and Implementing Policy 2.a-I-10 in that the site upgrades beautify the existing development and fosters community pride.
2. The project complies with the Zoning Ordinance in that the use is a conditional use in the Neighbourhood Commercial district and serves the adjacent residents and businesses. In addition, the project does not conflict with any of the district's development standards.
3. The project complies with the "S" Zone Combining District in that the proposed freestanding signs are attractive and harmonious with the site and replaces an existing 16' pole sign, which is outdated and unattractive with a more effective and modern sign. The site upgrades will help visually improve site within one of Milpitas' neighbourhood commercial nodes.

4. The proposed project is consistent with the City's Sign Ordinance in terms of number of freestanding signs, sign height, and sign area.
5. As conditioned, the project will not create any adverse community impacts and will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety and general welfare.
6. The proposed project is categorically exempt from further environmental review pursuant to Class 11, Section 15311 (Accessory Structures – On-premise signs) of the State CEQA Guidelines.

SPECIAL CONDITIONS:

1. Time Extension Approval for Use Permit Amendment No. UA2005-5 is for a new 12-foot tall freestanding LED sign as shown on the approved plans dated June 13, 2007 and as modified by the conditions below. Any modifications to the conditions of approval require Planning Commission approval of an amendment to this Use Permit and a public hearing. (P)
2. Time Extension Approval for "S" Zone Approval Amendment No. SA2005-28 is for a new canopy fascia, the repainting of all site features including the main building, perimeter and building fences, trash and storage enclosures, bollards, etc. and replacement of pump dispensers and new canopy signage, as shown on the approved plans dated June 13, 2007 and as modified by the conditions below. (P)
3. Prior to permit final, all required landscaping shall be replaced and continuously maintained as necessary to provide a permanent, attractive and effective appearance. Applicant shall submit a landscape and irrigation for Planning Division review and approval. (P)
4. Prior to building permit issuance all non-permitted signs shall be removed from the premises including the price cabinet affixed the light standard located at the corner of Dempsey Drive and S. Park Victoria Drive and any temporary signs.
5. Prior to building permit issuance, the applicant shall relocate the tire racks to the approved location which is near the main building on the south elevation on the existing concrete pad.
6. If at the time of application for building permit there is a project job account balance due to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. (P)
7. This use shall be conducted in compliance with all appropriate local, state, and federal laws and regulations and in conformance with the approved plans. (P)

PAGE 5 OF 6

TE2007-14

Union 76 Station Upgrade and Sign Replacement
27 S. Park Victoria

8. The applicant shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. Overall cumulative height of the grading, landscaping & signs as determined by sight distance shall not exceed 2 feet when measured from street elevation. (E)
9. The applicant shall obtain an encroachment permit from City of Milpitas Engineering Division for installation of the freestanding sign at the corner of E. Calaveras Blvd. and S. Park Victoria Dr. (sign location 9 and sheet A3). There is an existing 24" (RCP) storm drain line in this area. The construction plans may require special foundation to avoid the existing storm drain line. One-foot separation is required between the sign foundation and existing storm line. (E)

Planning Division = (P)

Engineering Division = (E)

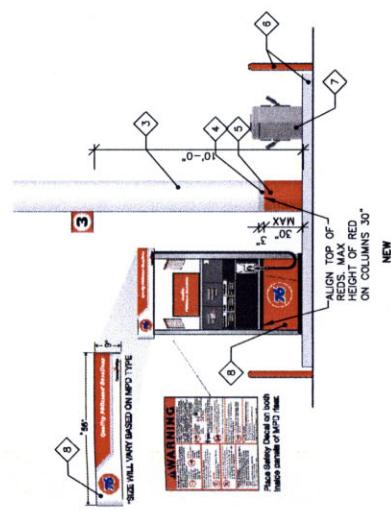


Concophis

PROFIT CENTER #255130
7 S. PARK VICTORIA DR.
MILPITAS, CA

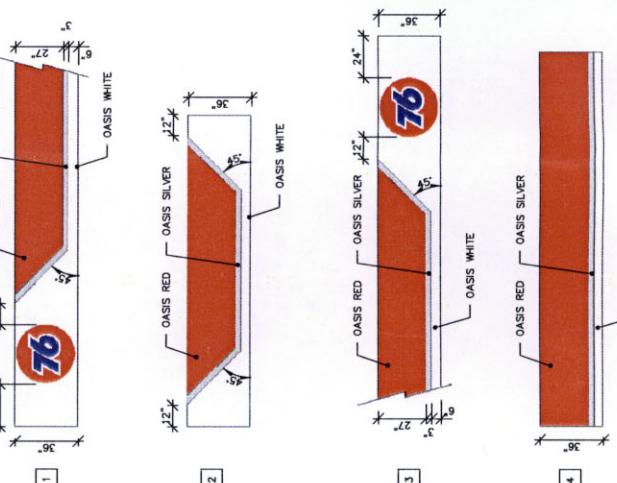
PRINTING SPECIFICATIONS

- 1 REMOVE EXISTING TRASH CANS.
- 2 NOT USED.
- 3 PAINT CANOPY COLUMN OASIS WHITE.
- 4 APPLY OASIS SILVER DECAL TO CANOPY COLUMN.
- 5 PAINT CANOPY COLUMN OASIS RED.
- 6 PAINT BOLLARDS OASIS RED AND ISLAND CURB OASIS SILVER.
- 7 (N) CHARCOAL, GRAY OR DARK GRAY AMENITY UNIT
- 8 (N) DISPENSER VALANCE AND DISPENSER LOGO & BACKGROUND DECAL
- 9 REMOVE (E) DISPENSER VALANCE AND DISPENSER '76' LOGO
- 10 NEW 36" CANOPY FASCIA TO BE CONSTRUCTED. CANOPY HEIGHT TO REMAIN.



GENERAL NOTES

1 CANOPY COLUMN AND DISPENSER

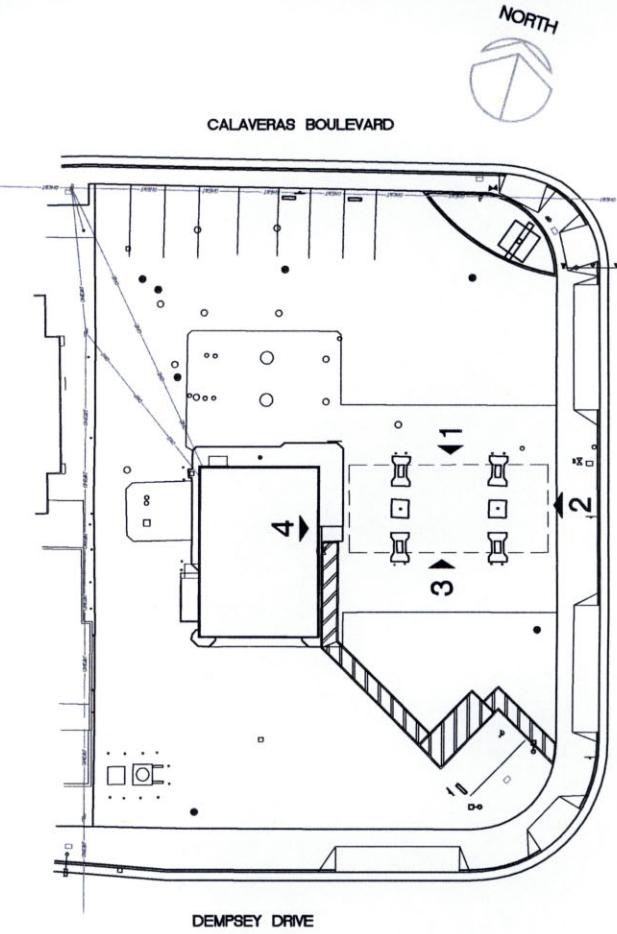


EXISTING AND PROPOSED CANOPY MODIFICATIONS

CALAVERAS BOULEVARD



SOUTH PARK VICTORIA DRIVE



2 EXISTING SITE PLAN

N.T.S.

-

4 CANOPY FASCIA DETAIL / FOR REFERENCE ONLY

N.T.S.

-

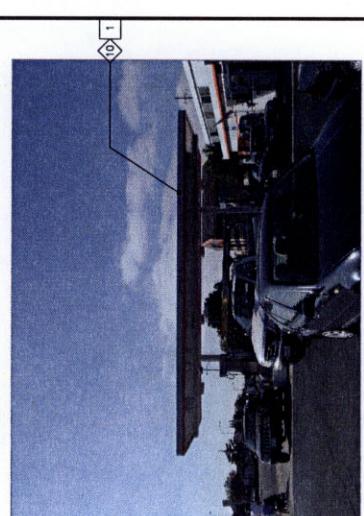
3 EXISTING CANOPY ELEVATION



1 EXISTING CANOPY ELEVATION



2 EXISTING CANOPY ELEVATION



3 EXISTING CANOPY ELEVATION



4 EXISTING CANOPY ELEVATION

6 EXISTING CANOPY ELEVATIONS

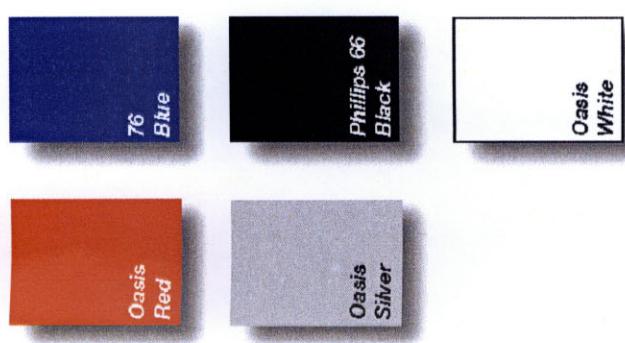
N.T.S.

-

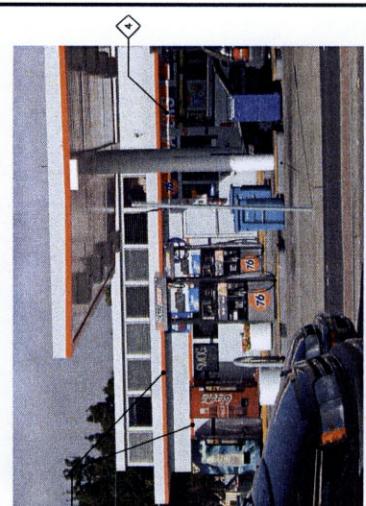
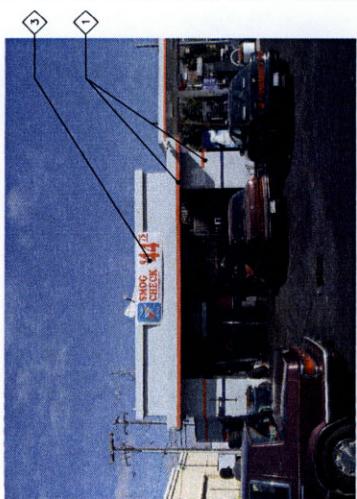
-

ConocoPhillips

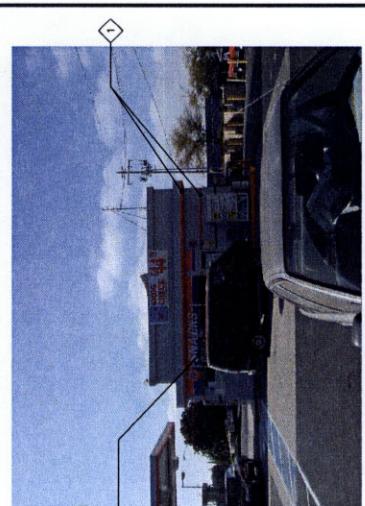
- 1 PAINT (E) ORANGE STRIPE ON BUILDING OASIS RED.
- 2 PAINT ENTIRE BUILDING WITH EXISTING COLORS.
- 3 EXISTING SNOC CHECK SIGN TO BE REPLACED WITH FERNINATE SIGN
- 4 REPLACE (E) WINDOW SIGNS TO MATCH NEW OASIS COLORS.



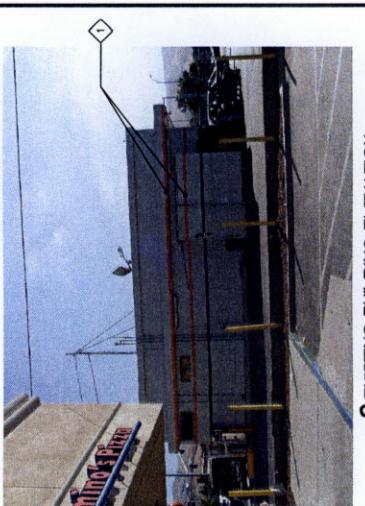
5 EXISTING BUILDING ELEVATION



6 EXISTING BUILDING ELEVATION



7 EXISTING BUILDING ELEVATION



8 EXISTING BUILDING ELEVATION

E:\Project\A\8-C-D\CONPHI\CON04130\CON04131\CON04131\DWG\Planning\YONO413102.dwg Dimstyle1, LSCS10, Plot, Time: Mar08, 2007-11-12am Logon:MDG

ProjectName:CONPHI CON04130 CON04131 DWG Version:1.0 Date:3/12/07 Author:MDG

EXISTING AND PROPOSED BUILDING
MODIFICATIONS
OASIS REIMAGE
27 S. PARK VICTORIA DR.
MILPITAS, CA
PROFIT CENTER #255130

REVISIONS INITIAL

MDG

3/12/07

PLANNING SUBMITAL - TIME EXTENSION

MARK DATE

REVISIONS

INITIAL

DATE: -
PROJECT NO:
CON04131.0

DRAWN:

APPROVED:

DRAWING

A2

N.T.S.

GENERAL NOTES

1 OASIS COLOR PALETTE/ FOR REFERENCE ONLY

-

2

-

3 NOT USED

-

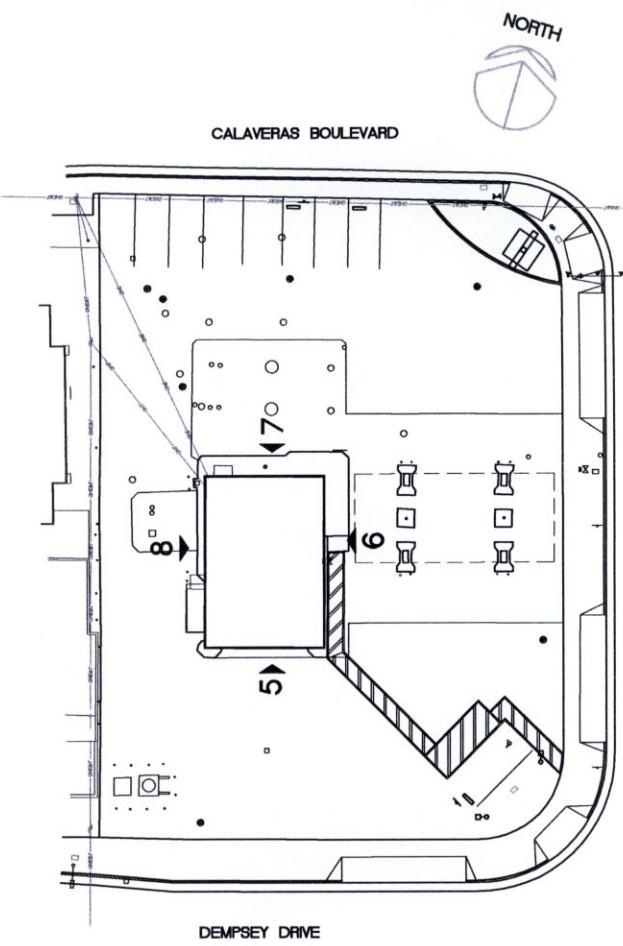
4 NOT USED

-

CALAVERAS BOULEVARD



SOUTH PARK VICTORIA DRIVE



DEMPSY DRIVE

5

-

6

-

7

-

8

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

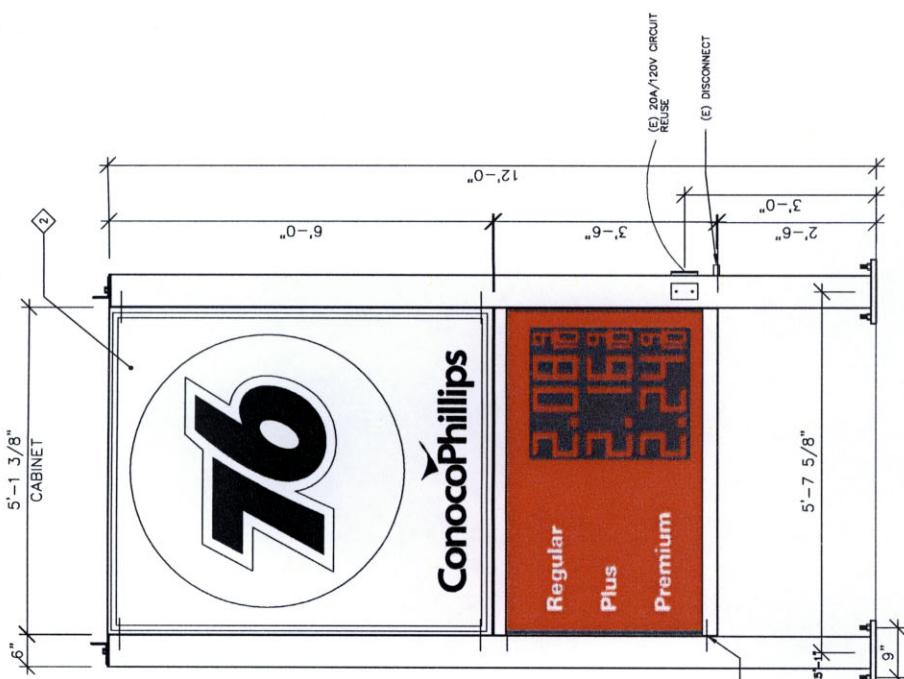
ConocoPhillips

- 1 REMOVE (E) POLE SIGN AND FOOTING.
- 2 INSTALL NEW INTERNALLY ILLUMINATED POLE SIGN AND FOOTING (LED PRICE PANEL).
- 3 REMOVE PRICE ID SIGN FROM LIGHT POLE LOCATED AT THE CORNER OF DEMPSEY DRIVE AND S. PARK VICTORIA DRIVE.
- 4 INSTALL NEW INTERNALLY ILLUMINATED, 3' x 7'6" SIGN TO CANOPY FASCIA AS INDICATED ON PLANS.
- 5 NEW 48" WIDE ACCESSIBLE PATH FROM SIDEWALK TO BUILDING.



Regular	137	9
Plus	150	9
Premium	167	9

Copy

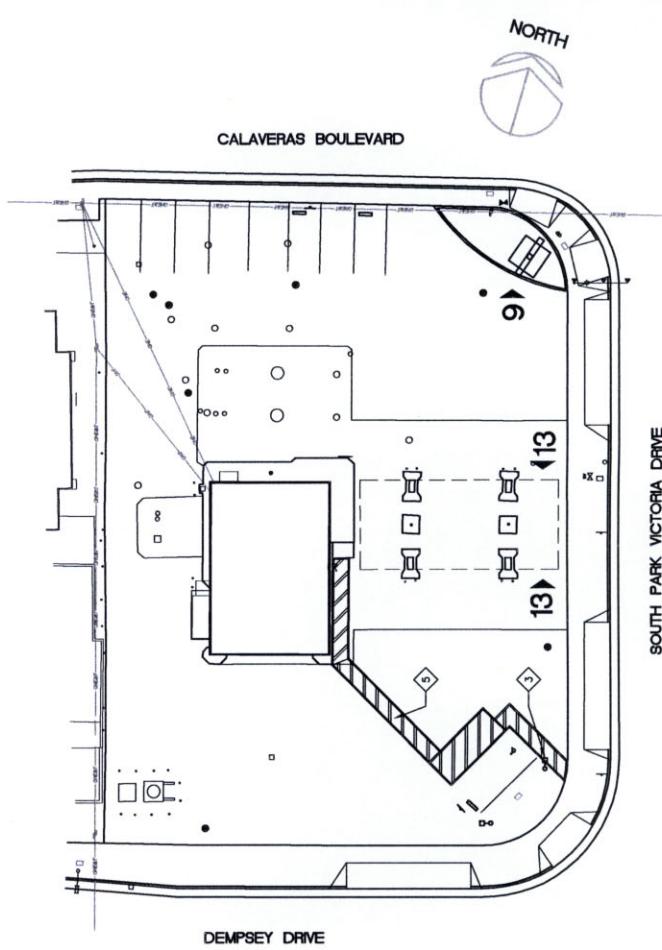


EXISTING AND PROPOSED SIGNAGE
MODIFICATIONS

PROPOSED CENTER #255130
27 S. PARK VICTORIA DR.
MILPITAS, CA
MOG
OASIS REIMAGE

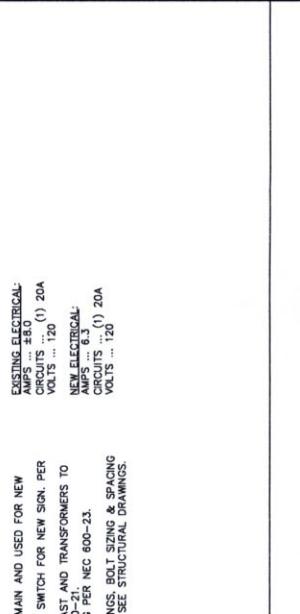
GENERAL NOTES

14 OASIS COLOR PALETTE/ FOR REFERENCE ONLY

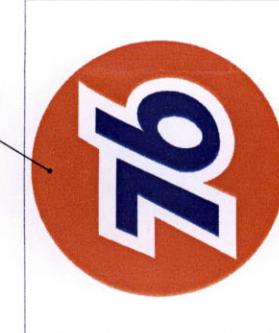


SOUTH PARK VICTORIA DRIVE

NORTH



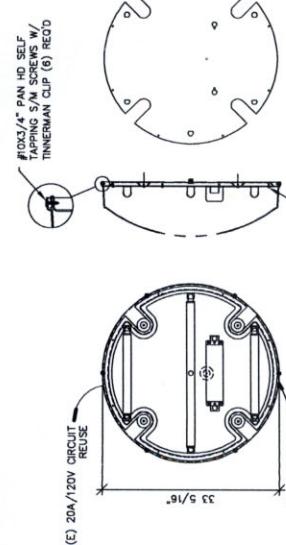
NOTE:
1. EXISTING CIRCUIT TO REMAIN AND USED FOR NEW SIGN.
2. PROVIDE A DISCONNECT SWITCH FOR NEW SIGN PER NEC 600-6.
3. ACCESSIBILITY TO BALLAST AND TRANSFORMERS TO BE PROVIDED PER NEC 600-21.
4. PROVIDE PROPER WIRING PER NEC 600-23.
5. U.L. LISTED EXISTING DRAMMINS, BOLT SIZING & SPACING
6. FOR FOUNDATION DRAMMINS, BOLT SIZING & SPACING
AND CONNECTION DETAILS SEE STRUCTURAL DRAWINGS.



NOTE:
1. EXISTING CIRCUIT TO REMAIN AND USED FOR NEW SIGN.
2. PROVIDE A DISCONNECT SWITCH FOR NEW SIGN PER NEC 600-6.
3. ACCESSIBILITY TO BALLAST AND TRANSFORMERS TO BE PROVIDED PER NEC 600-21.
4. PROVIDE PROPER WIRING PER NEC 600-23.
5. U.L. LISTED

EXISTING ELECTRICAL
CIRCUITS (1) 20A
VOLTS ... 120
NEW ELECTRICAL
CIRCUITS (1) 20A
VOLTS ... 120

SUB-BACK DETAIL



9 POLE SIGN
N.T.S.

A3

15 EXISTING SITE PLAN
N.T.S.

13 NEW INTERNALLY ILLUMINATED CANOPY SIGN
N.T.S.

ALAVERAS BOULEVARD

